



House of Representatives

General Assembly

File No. 286

January Session, 2007

House Bill No. 6383

House of Representatives, April 3, 2007

The Committee on Government Administration and Elections reported through REP. CARUSO of the 126th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

AN ACT CONCERNING APPROVAL OF BYLAWS RELATED TO THE SOLDIERS, SAILORS AND MARINES FUND.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 27-138 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective from passage*):

3 The Soldiers, Sailors and Marines Fund shall remain as established
4 and shall be in the custody of the Treasurer as trustee of [said] the fund
5 and shall be administered by the treasurer of the American Legion.
6 The Treasurer shall [administer said] invest the fund [as required by
7 the provisions of this chapter,] and shall reinvest as much of [said] the
8 fund as is not required for current disbursement in accordance with
9 the provisions of part I of chapter 32. The interest accumulations of the
10 fund so held in trust or so much thereof as is found necessary to carry
11 out the purposes hereinafter stated shall be paid, upon the order of the
12 Comptroller, upon such statements as [he] the Comptroller may
13 require, to the treasurer of the American Legion, who shall disburse

14 the same, and the balance of said accumulations, except for a reserve of
15 one hundred thousand dollars held in custody of the trustee for
16 contingent purposes, shall at the end of each fiscal year be added to the
17 principal of the fund. If the interest accumulations of the fund,
18 together with available appropriations, if any, of other funds, are
19 insufficient to carry out the purposes of this part, the Finance Advisory
20 Committee, upon recommendation of the Governor, shall make
21 appropriations therefor from the state General Fund, limited, however,
22 for any fiscal year to amounts which, together with said interest
23 accumulations for such year, shall not exceed the annual interest on
24 thirty-five million dollars at the average rate of the investment yield
25 earned during the preceding fiscal year on the Soldiers, Sailors and
26 Marines Fund, provided, in case of disaster constituting an emergency,
27 as declared by the Governor, the Finance Advisory Committee may
28 make additional appropriations to [said] the fund without regard to
29 such limitation. Payments to the treasurer of the American Legion
30 shall be made at such definite and stated periods as are necessary to
31 meet the convenience of the American Legion and said trustee; but
32 each payment shall be made upon the order of the treasurer of the
33 American Legion, approved by at least two of its executive officers or
34 of a special committee thereof thereunto specially authorized. No part
35 of the interest accumulation of [said] the fund shall be expended for
36 the purpose of maintaining the American Legion.

37 Sec. 2. Section 27-138a of the general statutes is repealed and the
38 following is substituted in lieu thereof (*Effective from passage*):

39 The [trustee] treasurer of the American Legion as administrator of
40 the Soldiers, Sailors and Marines Fund [shall] may make available at
41 each town clerk's office a copy of the regulations of [said] the fund and
42 applications for aid from [said] the fund.

43 Sec. 3. Section 27-140 of the general statutes is repealed and the
44 following is substituted in lieu thereof (*Effective from passage*):

45 All money so paid to and received by the American Legion shall be
46 expended by it in furnishing food, wearing apparel, medical or

47 surgical aid or care or relief to, or in bearing the funeral expenses of,
48 soldiers, sailors or marines who performed service in time of war, as
49 defined in subsection (a) of section 27-103, in any branch of the
50 military service of the United States, including the Connecticut
51 National Guard, or who were engaged in any of the wars waged by the
52 United States during said periods in the forces of any government
53 associated with the United States, who have been honorably
54 discharged therefrom or honorably released from active service
55 therein, and who were citizens or resident aliens of the state at the time
56 of entering said armed forces of the United States, including the
57 Connecticut National Guard, or of any such government, or to their
58 spouses who are living with them, or to their widows or widowers
59 who were living with them at the time of death, or dependent children
60 under eighteen years of age, who may be in need of the same. All such
61 payments shall be made by the American Legion under authority of its
62 bylaws, which bylaws shall set forth the procedure for proof of
63 eligibility for such aid, [and shall be approved by the trustee,]
64 provided payments made for the care and treatment of any person
65 entitled to the benefits provided for herein, at any hospital receiving
66 aid from the General Assembly unless special care and treatment are
67 required, shall be in accordance with the provisions of section 17b-239,
68 and provided the sum expended for the care or treatment of such
69 person at any other place than a state-aided hospital shall in no case
70 exceed the actual cost of supporting such person at the Veterans'
71 Home, unless special care and treatment are required, when such sum
72 as may be determined by the treasurer of such organization may be
73 paid therefor. The treasurer of such organization shall account to [said
74 trustee] the Governor and the General Assembly during the months of
75 January, April, July and October for all moneys disbursed by it during
76 the three months next preceding the first day of either of said months,
77 and such account shall show the amount of and the name and address
78 of each person to whom such aid has been furnished. Upon the
79 completion of the trust provided for in section 27-138, the principal
80 fund [so held by said trustee] shall revert to the State Treasury.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>from passage</i>	27-138
Sec. 2	<i>from passage</i>	27-138a
Sec. 3	<i>from passage</i>	27-140

VA *Joint Favorable C/R*

GAE

GAE *Joint Favorable*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either chamber thereof for any purpose:

OFA Fiscal Note**State Impact:**

Agency Affected	Fund-Effect	FY 08 \$	FY 09 \$
Soldiers, Sailors & Marines' Fund	SS&MF - None	None	None
Office of the State Treasurer	GF - None	None	None

Note: SS&MF=Soldiers, Sailors and Marines' Fund; GF=General Fund

Municipal Impact: None

Explanation

The bill clarifies the role of the State Treasurer as Trustee and American Legion as administrator of the Soldiers, Sailors and Marines' Fund. The bill makes other technical changes that will result in no fiscal impact.

The Out Years

None

OLR Bill Analysis**HB 6383*****AN ACT CONCERNING APPROVAL OF BYLAWS RELATED TO THE SOLDIERS, SAILORS AND MARINES FUND.*****SUMMARY:**

This bill transfers the administration of the Soldiers, Sailors and Marines Fund to the American Legion from the State Treasurer, who retains custody of the fund and responsibility for investing money left over after the disbursements required by law.

The bill eliminates the requirement that the State Treasurer approve the American Legion's bylaws governing fund disbursements. It requires the organization's treasurer to report the disbursements to the governor and the legislature, instead of the State Treasurer. The reports are due in January, April, July, and October each year.

Under current law, the State Treasurer must give a copy of the fund's regulations and aid applications to each town clerk. The bill instead allows the American Legion's treasurer to make them available.

The bill also makes conforming and technical changes.

EFFECTIVE DATE: Upon passage

BACKGROUND***Soldiers, Sailors, and Marines Fund***

This fund provides benefits such as food, clothing, medical, surgical, and funeral assistance to needy wartime veterans honorably discharged from active service in the U. S. military service (i.e., U.S. Armed Forces), their spouses living with them or who lived with them when they died, and dependent children.

COMMITTEE ACTION

Select Committee on Veterans' Affairs

Joint Favorable Change of Reference

Yea 10 Nay 0 (03/06/2007)

Government Administration and Elections Committee

Joint Favorable

Yea 12 Nay 0 (03/19/2007)